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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE VENUE

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 \$82,464.18 IN NET PROCEEDS FROM
17 THE SALE OF 1489 HARRIET AVENUE,
CAMPBELL, CALIFORNIA,

18 Defendant.

No. C 02-5105 JF

19 **STIPULATION AND [PROPOSED] ORDER**
20 **TO EXTEND STAY AND CONTINUE**
CASE MANAGEMENT CONFERENCE

Date: May 12, 2006
Time: 10:30 a.m.
Place: Hon. Jeremy Fogel

21 IT IS HEREBY STIPULATED by and between plaintiff United States of America and claimants
22 Michael and Jessica Costa, through undersigned counsel, that this Court enter a further Order staying this
23 action, pursuant to 21 U.S.C. § 881(i). Claimants are defendants in United States v. Michael Costa, et
24 al., CR 02-20059 JF. The allegations in the forfeiture complaint are based, in large part, on the
25 allegations at issue in the pending criminal action. Consequently, the parties agree that a stay in the
26 forfeiture proceeding is appropriate in order to preserve each claimant's right against self-incrimination
27 in the related criminal matter. The parties are advised that the criminal case is still ongoing and the trial
28 is not scheduled to commence on until June 5, 2006. Thus, the factual predicate for the initial request for

1 the stay has not changed since the criminal case is ongoing. Accordingly, the parties in this proceeding
2 request that the Case Management Conference, currently scheduled for May 12, 2006, be vacated and
3 that the matter be continued for approximately 120 days, or as soon thereafter as this Court may hear the
4 matter.

5
6 DATED: 4/5/06

DATED: 01/06/06

7
8 /S/
STEPHANIE M. HINDS
9 Assistant United States Attorney

/S/
STUART KIRCHICK
Attorney for Claimants Michael and Jessica Costa

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11 IT IS HEREBY ORDERED:

12 Upon the stipulation of counsel, and good cause appearing, the above-captioned civil forfeiture
13 action is stayed in light of the pending related criminal prosecution of claimants Michael and Jessica
14 Costa. The case management conference currently scheduled for May 12, 2006, is vacated. The matter
15 is continued until 9/15/06 for further status.

16
17 DATED: 4/27/06

18 
JEREMY FOGEL
United States District Judge